City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

Application Number: 3016479

Applicant Name: Jan Hromada**,** Caron Architecture

Address of Proposal: 2508 N 50th St

SUMMARY OF PROPOSAL

Land Use Application to allow a 3-story mixed use structure containing 17 small efficiency dwelling units and 800 sq. ft. of retail space at ground level. Parking for 9 vehicles will be located within the structure. Existing structure to be demolished.

The following approvals are required:

Design Review with Departures - (Seattle Municipal Code 23.41)*

SEPA - Environmental Determination - (Seattle Municipal Code Chapter 25.05)

** Departures are listed near the end of the Design Review Analysis in this document*

SEPA DETERMINATION:

Determination of Non-Significance

☒ No mitigating conditions of approval are imposed.

☐ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

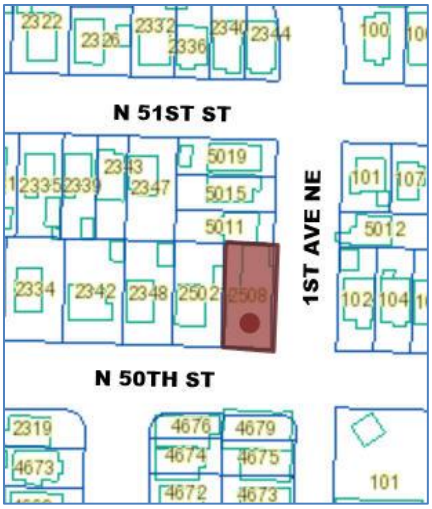
SITE AND VICINITY

Site Zone: Neighborhood Commercial 1 – 30-foot Height Limit (NC1-30)

Nearby Zones: (North) Single Family 5000 (SF 5000)
(South) NC1-30

(East) NC1-30
(West) NC1-30

Lot Area: 5,225 square feet



PUBLIC COMMENT:

The public comment period ended on January 24, 2016. In addition to the comments received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to on-street parking and density. Comments were also received that are beyond the scope of this review and analysis per (SMC 25.05).

I. ANALYSIS – DESIGN REVIEW

Current and Surrounding Development. Neighborhood Character

Surrounding development consists primarily of residential development with commercial uses at the 50th and 1st Ave NE intersection. Notable sites in the neighborhood include: Keystone Congregational Church, Good Shepherd Center, and Meridian Park.

FIRST EARLY DESIGN GUIDANCE - September 29, 2015

The packet includes materials presented at the meeting, and is available online by entering the project numbers (**Error! Reference source not found.** and 3018928) at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet is also available to view in the file, by contacting the Public Resource Center at Seattle DCI:

Mailing Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

The following public comments were received:

- Concerned about impacts to existing street parking.
- Concerned about increased density.

- Encouraged more commercial square footage at this corner.
- Noted that residential units at this site are not compatible with the neighborhood.
- Requested an adequate setback from adjacent structure with no balconies facing existing residents.
- Requested that the height be less than the structure abutting to the west.
- Requested adequate solid waste and recycling facilities that are screened, and located on the street side of the building.
- Requests the location of HVAC equipment be placed away from existing residents.
- Concerned about privacy impacts from the balconies proposed on the north elevation.
- Requested that the landscape buffer between the parking and the property to the north be dense to provide privacy and block glare from headlights.
- Supported a setback along N. 50th St.
- Concerned amenity space along N. 50th St. is not feasible given the existing traffic flow.

PRIORITIES & RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Seattle DCI staff provided the following siting and design guidance.

EARLY DESIGN GUIDANCE September 29, 2015

1. **Site Planning and Public Realm:**
    a. The surface parking is separated from the north property line by a five-foot landscape buffer. It is imperative that light and glare from vehicle headlights are screened from adjacent residential development. Submit a strong landscape design to provide sufficient landscaping, fencing, and/or other screening to reduce impacts to the north. Vehicles should also be screened along 1st Ave NE. (DC1-II)
    b. A 20-foot curb cut is proposed on 1st Ave NE. Use the smallest curb cut dimension necessary/permitted to access the on-site parking. Reduce the visual impacts of the parking lot and entrances as much as possible. (DC1-B, DC1-C)
    c. It is not clear where bicycle facilities are located. Locate facilities such as bike racks and storage to maximize convenience, security, and safety (PL4-B).
    d. It appears the location of the trash area is adjacent 1st Ave NE in the parking area. This location increases the visual impact of the surface parking area and reduces the project's connection to the street. Echoing public comment, ensure adequate screening and/or landscaping to adequately screen parking and the trash area from the street (DC1-B, DC1-C).
    e. The commercial space is oriented toward the intersection of N 50th and 1st Ave NE, with an entrance on 1st. Maintain the commercial use at this location ensuring accessible access for all (PL2-A).
    f. One residential unit is proposed at the ground level on N. 50th St. Build in flexibility so the building can adapt over time to evolving needs, such as the ability to change this residential space to commercial space as needed. (DC1-A).

2. **Architectural Concept**: The strong street edge and upper level setbacks of Option A is preferred. The strong street edge and upper level setback relate well to the neighborhood

context, create a strong connection to the street and public realm, and encourage safety through eyes on the street. (CS2-B, PL2-B)

a. The primary shared residential entry is proposed on 1st, north of the commercial entrance. Maintain the residential entry on 1st and use design elements to ensure this entry is obvious and identifiable for residents and guests and is differentiated from the commercial entrance (PL3-A).
b. Upper level balconies are proposed on the north elevation to provide outdoor amenity area for eight residential units. There is concern that balconies on the north elevation will cause negative privacy impacts to adjacent development and do not result in an appropriate transition to the single family zone. Remove the balconies from the north elevation and explore setting back the upper levels of the south elevation, similar to the structure to the west and Option A in the packet, or adding balconies on the east elevation (C2-D).
c. Overhead weather protection is proposed at the corner, highlighting the commercial entrance. Maintain the overhead weather protection to provide street-level scale and detail (DC2-C).
d. It is understood that the existing power lines on N. 50th St. require a minimum setback. In response, the building is setback at the ground and upper levels. This ground level setback is proposed as a pedestrian plaza, separated from the sidewalk by a landscape buffer. Because the existing characters of N. 50th St. and 1st Ave. NE are commercial and residential, respectively, explore moving the plaza to 1st Ave NE and eliminating the ground level set back on N. 50th. A strong street edge along N. 50th St. provides a compatible response to the existing context and adjacent development, while a pedestrian open space on 1st Ave NE responds to the existing residential neighborhood to the north. (CS2-B, PL1-A, DC2-A, DC2-D)

PUBLIC COMMENT

Public comment received expressed concerns about impacts to on-street parking. Design comments included:

- Recommended the ground level commercial space meet the code required 30-foot depth.
- Recommended the N 50th St frontage provide a continuous retail storefront.
- Supported the increase in commercial space.
- Concerned that the scale of the building is too large relative to the abutting single family structures.
- Concerned about impacts to privacy.
- Supported the building setback from the north property line.

RECOMMENDATION April 8, 2016

1. **Site Planning and Public Realm:**
    a. Eight balconies are proposed on the north façade. These balconies project six-feet from the façade, and are setback nine-feet from the property line. To respond to privacy concerns noted by public comment, the project proposes the following measures: horizontal wood slats on all sides of the balconies, a five-foot planter strip containing nine Green Arrow Alaska Cedar trees, measuring seven to eight-feet tall, and a six-foot cedar fence. To maintain privacy to development to the north, these measures shall be in place and maintained at all times (CS2-D).

b. Surface parking is proposed within the structure, accessed from 1st Ave NE. Five parking stalls face north. To mitigate light and glare impacts, the project proposes the following: a five-foot landscape buffer with nine Green Arrow Alaska Cedar trees and a six-foot cedar fence. Furthermore, as is shown on page 43 of the Recommendation packet, the parking is located at a lower elevation than the fence. To mitigate light and glare impacts, these measures shall be in place and maintained at all times (CS2-D).
c. Lighting details are contained on pages 36-37 of the Recommendation packet and include fixtures such as wall mounted, strip, recessed, and landscape lighting. Including lighting fixture details in the building permit plan set (DC4-C).
d. The trash and recycle storage area is located in the garage, with what appears to be a pick up location on 1st Ave NE. Demonstrate on the plan set the location of the trash and recycle pick up within the right-of-way. Ensure the location minimizes impacts to adjacent residential uses and maintains the residential character of 1st Ave NE (DC1-II).

2. **Architectural Concept:**
   a. Wood slat siding is proposed on the south and east elevations to signify the residential entrances, and distinguish them from the commercial space at the corner that is treated with brick veneer. Maintain this contrast in materials to ensure legibility and clearly identify the primary entries (DC2-E, PL3-A).
   b. The commercial space at the southeast corner is treated with dark brick veneer. This material application differentiates the commercial space from the residential. This material application and differentiation is an important element of the architectural concept (DC2-E, PL3-A).
   c. Steel and glass canopies are proposed at the southeast corner at the ground floor commercial use and wood canopies highlight the residential entries. The differentiation of overhead weather protection is an important element of the architectural concept, and helps to identify the two uses. Maintain overhead weather protection for the length of the commercial frontage and at the two residential entries (CS2-B, PL2-C, PL3-A).

DESIGN REVIEW GUIDELINES

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

CONTEXT & SITE

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A Location in the City and Neighborhood

CS2-A-1. Sense of Place: Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-C Relationship to the Block

CS2-C-1. Corner Sites: Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-1. Fitting Old and New Together: Create compatibility between new projects, and existing architectural context, including historic and modern designs, through building articulation, scale and proportion, roof forms, detailing, fenestration, and/or the use of complementary materials.

CS3-A-3. Established Neighborhoods: In existing neighborhoods with a well-defined architectural character, site and design new structures to complement or be compatible with the architectural style and siting patterns of neighborhood buildings.

PUBLIC LIFE

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-A Accessibility

PL2-A-1. Access for All: Provide access for people of all abilities in a manner that is fully integrated into the project design. Design entries and other primary access points such that all visitors can be greeted and welcomed through the front door.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

PL2-C-2. Design Integration: Integrate weather protection, gutters and downspouts into the design of the structure as a whole, and ensure that it also relates well to neighboring buildings in design, coverage, or other features.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-A-3. Individual Entries: Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

PL3-B-2. Ground-level Residential: Privacy and security issues are particularly important in buildings with ground-level housing, both at entries and where windows are located overlooking the street.

PL3-C Retail Edges

PL3-C-1. Porous Edge: Engage passersby with opportunities to interact visually with the building interior using glazing and transparency. Create multiple entries where possible and make a physical and visual connection between people on the sidewalk and retail activities in the building.

PL3-C-2. Visibility: Maximize visibility into the building interior and merchandise displays. Consider fully operational glazed wall-sized doors that can be completely opened to the street, increased height in lobbies, and/or special lighting for displays.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-A Entry Locations and Relationships

PL4-A-1. Serving all Modes of Travel: Provide safe and convenient access points for all modes of travel.

PL4-A-2. Connections to All Modes: Site the primary entry in a location that logically relates to building uses and clearly connects all major points of access.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-B Vehicular Access and Circulation

DC1-B-1. Access Location and Design: Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

DC1-C Parking and Service Uses

DC1-C-2. Visual Impacts: Reduce the visual impacts of parking lots, parking structures, entrances, and related signs and equipment as much as possible.

DC1-C-4. Service Uses: Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

Greenlake Supplemental Guidance:

DC1-II Design of Parking Lots Near Sidewalks

DC2-II-iii. Surface Lots: When adjacent to residential zones, surface parking lots adjacent to sidewalks should be screened with shrubs and double rows of street trees for a more sheltered, residential feel.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs— considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC2-C Secondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

DC2-C-2. Dual Purpose Elements: Consider architectural features that can be dual purpose— adding depth, texture, and scale as well as serving other project functions.

DC2-C-3. Fit With Neighboring Buildings: Use design elements to achieve a successful fit between a building and its neighbors.

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or "texture," particularly at the street level and other areas where pedestrians predominate.

DC2-E Form and Function

DC2-E-1. Legibility and Flexibility: Strive for a balance between building use legibility and flexibility. Design buildings such that their primary functions and uses can be readily determined from the exterior, making the building easy to access and understand. At the

same time, design flexibility into the building so that it may remain useful over time even as specific programmatic needs evolve.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-AExterior Elements and Finishes

DC4-A-1. Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

DC4-CLighting

DC4-C-2. Avoiding Glare: Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

Greenlake Supplemental Guidance:

DC4-I Exterior Finish Materials

DC4-I-vii. Light Standards: Light standards should be compatible with other site design and building elements.

DC4-II-iii. Sign Location: The location and installation of signage should be integrated with the building's architecture.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) will be based on the departure's potential to help the project better meet these design guidelines priorities and achieve a better overall project design than could be achieved without the departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the Recommendation the following departures were requested:

1. **Street Level Uses (SMC 23.47A.055.C.1.d.):** The Code allows for a maximum of 20% of the street frontage to be occupied by a residential use. The applicant proposes an increase in this allowance to 36.83% along N 50th St and 24.55% along 1st Ave NE.

   Staff supported the departure request along 1st Ave NE, finding this to be an appropriate location for the shared residential entry as the character of the street is residential in nature. The departure request on N. 50th St. is also supported as the commercial space has been redesigned to provide a strong street edge, thereby increasing the total commercial depth. The departure better meets the intent of Design Guideline. (PL3-I, DC2-I)

2. **Commercial Depth (SMC 23.47A.008.B.3.):** The Code requires an average 30-foot depth for commercial uses at ground level. The applicant proposes a reduction in this requirement to 27-feet 9-inches.

   Staff supported the departure finding that N 50th St is a highly traveled corridor with narrow sidewalks, and ground floor commercial with a strong street edge responds well

to the existing neighborhood context and enhances the central character of this "heart location" (Greenlake Neighborhood Design Guidelines). The departure helps the project better meet the intent of the Design Guidelines (CS2-II, CS2-III, PL2-I, PL3-II).

3. **Landscaping and Screening (SMC 23.47A.016.D.1.c.2.):** The Code requires a five-foot landscape buffer between surface parking and an adjacent residential zone. The applicant proposes an elimination of this requirement for a length of approximately 17-feet.

   Staff supported the departure. Privacy and a successful zone transition are important in this location. To address privacy impacts, the parking level is at a lower elevation than that of the six-foot wood fence along the north property line to screen vehicle headlights from adjacent residential development. The departure helps the project better meet the intent of the Design Guidelines (DC1-I, DC1-II, DC4-I).

4. **Amenity Area (SMC 23.47A.024.B.4.):** The Code requires common amenity area to be no smaller than 250 square feet in size. The applicant proposes a reduction to 182 square feet.

   Staff supported the departure as the reduction in common amenity area allows for an increase in the ground floor commercial space with a strong street edge on N 50th St which is an appropriate response to the neighborhood context. The departure helps the project better meet the intent of the Design Guidelines.

5. **Parking Location and Access (SMC 23.47A.032.B.1.b.):** The Code requires street level parking to be separated from the street by an intervening use. The applicant proposes the elimination of this requirement for the length of the surface parking along 1st Ave NE (32-feet of frontage).

   Staff supported the departure as the parking has been thoughtfully designed with sufficient screening with vegetation and use of metal screens and garage door. Durable materials and transparency at ground level provide an appropriate response to the neighborhood context and residential character of 1st Ave NE. The departure helps the project better meet the intent of the Design Guidelines (DC1-I, DC1-II, DC4-I).

RECOMMENDATIONS
BOARD DIRECTION

At the conclusion of RECOMMENDATION, staff recommended approval of the project with conditions.

The recommendation summarized above was based on the design review packet dated Friday, April 08, 2016. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, Seattle DCI recommended APPROVAL of the subject design and departures with the following conditions:

1. Ensure installation of trees along the north property line at a height and width sufficient to fully screen views from balconies into the abutting structure to the north (CS2-D).
2. Ensure installation of the wood slats on the balconies and six-foot fence along the north property line to fully screen views from balconies into the abutting structure to the north (CS2-D).
3. Include in the building permit plan set lighting fixture details. Ensure lighting is consistent with the architectural concept (DC4-C).
4. Ensure installation of trees and fencing sufficient to adequately mitigate light and glare impacts from vehicle lights to the abutting property to the north (CS2-D, DC4-C).
5. Demonstrate on the plan set the location of the trash and recycle pick up within the right-of-way. Ensure the location minimizes impacts to adjacent residential uses and maintains the residential character of 1st Ave NE (DC1-II).
6. Maintain material and color contrast on south and east elevations to ensure legibility of uses and clearly identify the primary residential entries from the commercial entry (DC2-E, PL3-A).
7. Maintain overhead weather protection for the length of the commercial frontage and at the two residential entries (CS2-B, PL2-C, PL3-A).

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

The administrative design review process prescribed in Section 23.41.016.D of the Seattle Municipal Code describing the content of the Seattle DCI Director's decision reads in part as follows:

Director's Decision

1. A decision on an application for administrative design review shall be made by the Director as part of the overall Master Use Permit decision for the project.
2. The Director's decision shall be based on the extent to which the proposed project meets applicable design guidelines and in consideration of public comments on the proposed project.
3. Projects subject to administrative design review must meet all codes and regulatory requirements applicable to the subject site, except as provided for in Section 23.41.012.

At the conclusion of the Recommendation phase, Seattle DCI staff recommended approval of the project with the conditions described in the summary of the Recommendation meeting above. The proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines. Seattle DCI staff worked with the applicant to update the submitted plans to include the recommendations.

Following the Recommendation phase, Seattle DCI staff worked with the applicant to update the submitted plans to include the staff recommendations. The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

DIRECTOR'S DECISION

The Director CONDITIONALLY APPROVES the proposed design and the requested departures with the conditions summarized at the end of this Decision.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated November 24, 2015. The Seattle Department of Construction and Inspections (Seattle DCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

A. SHORT TERM IMPACTS

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes air-quality, construction-related noise, construction traffic and parking impacts, and greenhouse gas.

Air Quality/Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which

adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. SEPA conditioning is not warranted to mitigate air quality impacts pursuant to SEPA Policy SMC 25.05.675.A.

Construction Impacts – Parking, Traffic, and Nosie

During construction a temporary increase in traffic volumes to the site is expected due to travel to the site by construction workers and the transport of construction materials. Furthermore, additional parking demand from construction vehicles is expected to impact the supply of on-street parking.

Furthermore, approximately 352 cubic yards of soil are expected to be excavated from the project site. The soil removed will not be reused on site, requiring disposal off site. Excavation and fill activity will require approximately 35 round trips with 10-yard hauling trucks or 18 round trips with 20-yard hauling trucks.

It is the City's policy to minimize temporary adverse impacts associated with construction activities. The *Street Use Ordinance* contains regulation that mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is regulated with a street use permit through the City of Seattle Department of Transportation (SDOT). SEPA conditioning is not warranted to mitigate construction impacts pursuant to SEPA Policy SMC 25.05.675.A.

The project is expected to generate loud noise during demolition, grading and construction. The Seattle *Noise Ordinance* (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Lowrise, Midrise, Highrise, Residential-Commercial and Neighborhood Commercial zones. If extended construction hours are desired, the applicant may seek approval from Seattle DCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated. SEPA conditioning is not warranted to mitigate construction impacts pursuant to SEPA Policy SMC 25.05.675.A.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.F.

B. LONG TERM IMPACTS

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; potential blockage of designated sites from the Scenic Routes nearby; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no

further conditioning is warranted by SEPA policies. However, air quality, greenhouse gas, historic preservation, height bulk and scale, parking, and transportation warrant further analysis.

Air Quality/Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the projects' energy consumption are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. SEPA conditioning is not warranted to mitigate air quality impacts pursuant to SEPA Policy SMC 25.05.675.A.

Height, Bulk, and Scale

The proposal has gone through the design review process described in SMC 23.41. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment. Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process for any new project proposed on the site. Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

Parking

The proposed development includes 17 residential units with nine off-street vehicular parking spaces. The traffic and parking analysis (*Traffic and Parking Impact Analysis*, TENW, March 11, 2016) indicates a peak demand for approximately nine vehicles from the proposed development. Peak residential demand typically occurs overnight.

The traffic and parking analysis noted that the peak parking demand for this development is nine vehicles. The number of proposed parking spaces accommodates all of the anticipated parking demand, and no additional mitigation is warranted per SMC 25.05.675.M.

Transportation

The Traffic Impact Analysis (*Traffic and Parking Impact Analysis*, TENW, March 11, 2016) indicated that the project is expected to generate a net decrease of approximately 32 daily vehicle trips, with no net change in the AM or PM Peak Hour trips.

The additional trips would have minimal impact on levels of service at nearby intersections and on the overall transportation system. Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be well within the adopted standards for the identified areas. Seattle DCI reviewed the information and determined that while these impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted per SMC 25.05.675.R.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

☐ Mitigated Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early Review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – DESIGN REVIEW

Prior to Certificate of Occupancy:

1. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Carly Guillory, carly.guillory@seatle.gov).

2. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Carly Guillory, carly.guillory@seatle.gov).

For the Life of the Project:

3. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Carly Guillory, carly.guillory@seattle.gov).

Carly Guillory, Land Use Planner Date: August 11, 2016
Seattle Department of Construction and Inspections

CG:drm

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.